

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

KRISTINA DELUCENAY, individually and on  
behalf of all others similarly situated,

**CLASS ACTION**

**Case No. 1:20-cv-00957**

*Plaintiff,*

**JURY TRIAL DEMANDED**

vs.

LE BATTLE CREEK, INC.

*Defendant.*

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**NOTICE OF DISMISSAL WITH PREJUDICE**

Plaintiff, Kristina Delucenay, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i),  
does hereby dismiss this this action as follows:

1. All claims of the Plaintiff, Kristina Delucenay, individually, are hereby dismissed  
with prejudice.

2. All claims of any unnamed member of the alleged class are hereby dismissed  
without prejudice.

Date: December 01, 2020

Respectfully Submitted,

**Shamis & Gentile, P.A.**

/s/ Andrew J. Shamis

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 01, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel identified below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner.

Respectfully submitted,

**SHAMIS & GENTILE, P.A.**

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By: /s/ Andrew J. Shamis  
Andrew J. Shamis, Esq.  
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*Counsel for Plaintiff and the Class*